



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

April 22, 2003

Commissioner Jo Anne B. Barnhart
Social Security Administration
P.O. Box 17703
Baltimore, MD 21235-7703

Re: Statutory Requirements for Illinois Drivers License, Including Social Security Numbers for Non-Work Purposes

Dear Commissioner Barnhart:

The purpose of this letter is to submit official comment during the open comment period on the proposed rule changes. The State of Illinois, Secretary of State's Office, issues all Driver's Licenses and State Identification cards to residents of the state. The State of Illinois statutorily requires proof of a valid social security number as one of the documents necessary to acquire either a driver's license or a state ID card. (See enclosed statutory language).

The social security number is a unique identifier and an invaluable part of the application and verification processes for the state identification card and the driver's license. Therefore, we request that the Social Security Administration continue issuing non-work social security cards to foreign national residents legally living in Illinois for more than 90 days who need to drive. This would include, but may not be limited to, foreign nationals who are legally residing in Illinois, but are not authorized to work in our local businesses. Whether they reside in big cities, the suburbs or more rural areas, many foreign nationals need to drive, for example, to schools, to doctors' appointments, and to grocery stores. We believe these foreign nationals should be allowed to drive. In order to do so, they must have a valid Illinois Driver's License, which requires a non-work social security number. Therefore, we request that SSA not discontinue the issuance of non-work social security numbers for the foreign nationals who apply for drivers' licenses.

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Additionally, the driver's license has become an important document for identification purposes. The use of the social security number during the application and verification processes helps ensure the integrity and reliability of the document. Thank you for considering our position on this most important matter. We are hopeful that you will continue the limited issuance of these non-work authorized social security numbers for driving purposes to the appropriate persons.

Sincerely,

A handwritten signature in cursive script, appearing to read "Irene Lyons".

Irene Lyons,
General Counsel for
Secretary of State Jesse White

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VEHICLES

625 ILCS 5/6-106

any motor vehicle of the second division when in use for the transportation of persons for compensation.

(c) No person who is under the age of 18 years shall be issued a license for the purpose of transporting property for hire, or for the purpose of transporting persons for compensation in a motor vehicle of the first division.

(d) No person shall drive: (1) a school bus when transporting school children unless such person possesses a valid school bus driver permit or is accompanied and supervised, for the specific purpose of training prior to routine operation of a school bus, by a person who has held a valid school bus driver permit for at least one year; or (2) any other vehicle owned or operated by or for a public or private school, or a school operated by a religious institution, where such vehicle is being used over a regularly scheduled route for the transportation of persons enrolled as a student in grade 12 or below, in connection with any activity of the entities unless such person possesses a valid school bus driver permit.

(e) No person shall drive a religious organization bus unless such person has a valid and properly classified drivers [sic] license or a valid school bus driver permit.

(f) No person shall drive a motor vehicle for the purpose of providing transportation for the elderly in connection with the activities of any public or private organization unless such person has a valid and properly classified driver's license issued by the Secretary of State.

(g) No person shall drive a bus which meets the special requirements for school buses provided in Section 12-801, 12-802, 12-803 and 12-806 of this Code [625 ILCS 5/12-801, 625 ILCS 5/12-802, 625 ILCS 5/12-803 and 625 ILCS 5/12-806] for the purpose of transporting persons 18 years of age or less in connection with any youth camp licensed under the Youth Camp Act [210 ILCS 100/1 et seq.] or any child care facility licensed under the Child Care Act of 1969 [225 ILCS 10/1 et seq.] unless such person possesses a valid school bus driver permit or is accompanied and supervised, for the specific purpose of training prior to routine operation of a school bus, by a person who has held a valid school bus driver permit for at least one year; however, a person who has a valid and properly classified driver's license issued by the Secretary of State may operate a school bus for the purpose of transporting persons 18 years of age or less in connection with any such youth camp or child care facility if the "SCHOOL BUS" signs are covered or concealed and the stop signal arm and flashing signal systems are not operable through normal controls.

(Source: P.A. 84-1311; 88-612, § 15.)

625 ILCS 5/6-105. Instruction permits and temporary licenses for persons 18 years of age or older

Sec. 6-105. *Instruction permits and temporary licenses for persons 18 years of age or older.* (a) Except as provided in this Section, the Secretary of State upon receiving proper application and payment of the required fee may issue an instruction permit to any person 18 years of age or older who is not ineligible for a license under paragraphs 1, 3, 4, 5, 7, or 8 of Section 6-103 [625 ILCS 5/6-103], after the applicant has successfully passed such examination as the Secretary of State in his discretion may prescribe.

1. An instruction permit entitles the holder while having the permit in his immediate possession to drive a motor vehicle, excluding a motor driven cycle or motorcycle, upon the highways for a period of 12 months after the date of its issuance when accompanied by a licensed driver who is 21 years of age or older, who has had a valid driver's license classification to operate such vehicle for at least one year

and has had one year of driving experience with such classification and who is occupying a seat beside the driver.

2. A 12 month instruction permit for a motor driven cycle or motorcycle may be issued to a person 18 years of age or more, and entitles the holder to drive upon the highways during daylight under the direct supervision of a licensed motor driven cycle operator or motorcycle operator with the same or greater classification, who is 21 years of age or older and who has at least one year of driving experience.

3. (Blank).

(b) (Blank).

(c) The Secretary of State may issue a temporary driver's license to an applicant for a license permitting the operation of a motor vehicle while the Secretary is completing an investigation and determination of all facts relative to such applicant's eligibility to receive such license, or for any other reason prescribed by rule or regulation promulgated by the Secretary of State. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's driver's license has been issued or for good cause has been refused. In each case the Secretary of State may issue the temporary driver's license for such period as appropriate but in no event for longer than 90 days.

(Source: P.A. 85-522; 90-369, § 5.)

625 ILCS 5/6-106. Application for license or instruction permit

Sec. 6-106. *Application for license or instruction permit.*

(a) Every application for any permit or license authorized to be issued under this Act shall be made upon a form furnished by the Secretary of State. Every application shall be accompanied by the proper fee and payment of such fee shall entitle the applicant to not more than 3 attempts to pass the examination within a period of 1 year after the date of application.

(b) Every application shall state the name, social security number, zip code, date of birth, sex, and residence address of the applicant; briefly describe the applicant; state whether the applicant has theretofore been licensed as a driver, and, if so, when and by what state or country, and whether any such license has ever been cancelled, suspended, revoked or refused, and, if so, the date and reason for such cancellation, suspension, revocation or refusal; shall include an affirmation by the applicant that all information set forth is true and correct; and shall bear the applicant's signature. The application form may also require the statement of such additional relevant information as the Secretary of State shall deem necessary to determine the applicant's competency and eligibility. The Secretary of State may in his discretion substitute a federal tax number in lieu of a social security number, or he may instead assign an additional distinctive number in lieu thereof, where an applicant is prohibited by bona fide religious convictions from applying or is exempt from applying for a social security number. The Secretary of State shall, however, determine which religious orders or sects have such bona fide religious convictions. The Secretary of State may, in his discretion, by rule or regulation, provide that an application for a drivers license or permit may include a suitable photograph of the applicant in the form prescribed by the Secretary, and he may further provide that each drivers license shall include a photograph of the driver. The Secretary of State may utilize a photograph process or system most suitable to deter alteration or improper reproduction of a drivers license and to prevent substitution of another photo thereon.

(c) The application form shall include a notice to the applicant of the registration obligations of sex offenders